

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED:

12-26-24

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

4. DESCRIPTION OF VARIANCE SOUGHT: _____

12'x15.5' Rear Deak

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

6. IF AN AREA VARIANCE IS REQUESTED:

- a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

Is a common structure that is found in most of the properties in the neighborhood.

- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

The zoning requires a minimum of 40' rear yard set back. Currently only has 37.4'.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Does not meet the minimum requirements under actual zoning laws. A variance of 2.6' is required.

- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

It is a common structure that does not contain toxic, or dangerous substances ~~to~~ people, animals or the environment.

- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

The structure was built in 1985 by previous owners.

7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF January 2025



NOTARY PUBLIC

JENNA MARIE LLOYD
Notary Public, State of New York
Reg. # 01LL6432807
Qualified in Ulster County
Commission Expires May 9, 2026

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)

**TOWN OF NEWBURGH
ZONING BOARD OF APPEALS**

PROXY

L.M.D. Hoang LLC. & Thang H. Tran, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 29 Ona Ln, New Windsor NY 12553

IN THE COUNTY OF Orange AND STATE OF N.Y.

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

16 Old South Park Rd, Newburgh NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Edwin Molina

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 1/3/25 _____

OWNER'S SIGNATURE

Melissa DeLuca Buccafurri

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF January 2025

NOTARY PUBLIC

JENNA MARIE LLOYD
Notary Public, State of New York
Reg. # 01LL6432807
Qualified in Ulster County
Commission Expires May 9, 2026

NOTICE OF HEARING

NOTICE is hereby given that, pursuant to Section 267-a (1) of the Town Law, State of New York and Section 185-55A (1) of the Zoning Ordinances of the Town of Newburgh, a Public Hearing will be held by the Zoning Board of Appeals of the Town of Newburgh, New York on Thursday the 23rd day of January, 2025 at 7:00 P.M., in the Town Hall, 1496 Route 300, Town of Newburgh, New York, to act upon the following appeal:

APPLICATION of Thang Huu Tran for area variances of (a) the minimum rear yard setback to keep a 12' x 15.5 rear deck (b) the minimum rear yard setback to keep a 12' x 15.5' sunroom, (c) the setback from the rear property line to keep a 24' above ground pool and (d) the setback to the rear and side property lines to keep a 12' x 12' accessory building.

PREMISES LOCATED at 16 Old South Plank Rd 51-4-10 R1 Zone in the Town of Newburgh, New York.

TAKE NOTICE that the applicant should appear at the hearing and all persons interested in any way may appear and be heard by the Board.

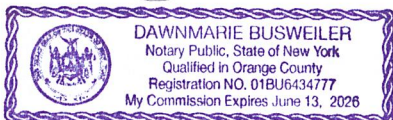
BY ORDER of the Zoning Board of Appeals dated the 9th day of January, 2025.

(APPLICANT)

STATE OF NEW YORK: COUNTY OF ORANGE:

Siobhan Jablesnik, being duly sworn, deposes and says that on the 10 day of January, 2025 I mailed notices of application for a variance and the hearing to be held thereon to all landowners within a radius of 500 feet of the exterior boundary lines of the property and have otherwise complied with all requirements of the Zoning Ordinance of the Town of Newburgh, County of Orange, New York.

Sworn to before me this 10 day of January, 2025





TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

2024-69 (A)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/26/2024

Application No. 24-1203

To: Thang Huu Tran
29 Ona Lane
New Windsor, NY 12553

SBL: 51-4-10
ADDRESS: 16 Old South Plank Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 10/23/2024 for permit to keep (2) 12' x 15.5' rear decks built without permits on the premises located at 16 Old South Plank Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code

1) Bulk table schedule 3: requires a 40' minimum rear yard setback.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



TOWN OF NEWBURGH ZONING CHART

NAME: THANG HUU TRAN ADDRESS: 16 OLD S. PLANK RD

NEWBURGH NY 12550

STRUCTURE: (2) 12' x 15.5' rear decks TYPE OF VARIANCE: AREA

S:B:L: 51-4-10 ZONE: R-1 TOWN WATER: YES TOWN SEWER: YES

VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
Rear yard setback	Bulk table schedule 3	40'	37.4'	2.6'	6.8%

COMMENTS:

REVIEWED BY: JOSEPH MATINA DATE: 12-26-2024 APPLICATION: 24-1203

ZSA 2024-09(A)

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

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12-26-24

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

4. DESCRIPTION OF VARIANCE SOUGHT: _____

12'x15.5' Sunroom

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

6. IF AN AREA VARIANCE IS REQUESTED:

- a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

Is a common structure that is found in most of the properties in the neighborhood.

- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

The zoning requires a minimum of 40' rear yard set back. Currently only has 37.4'.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Does not meet the minimum requirements under actual zoning laws. A variance of 2.6' is required.

- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

It is a common structure that does not contain toxic, or dangerous substances to people, animals or the environment.

- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

The structure was built in 1985 by previous owners.


7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF January 2025



NOTARY PUBLIC

JENNA MARIE LLOYD
Notary Public, State of New York
Reg. # 01LL6432807
Qualified in Ulster County
Commission Expires May 9, 2026

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

(ALL MATERIALS REGARDING THE APPLICATION MUST BE SUBMITTED TO THE ZONING BOARD OFFICE FOR REVIEW NO LATER THAN 13 DAYS PRIOR TO THE HEARING DATE OR THEY MAY NOT BE CONSIDERED THE NIGHT OF THE MEETING).

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)

**TOWN OF NEWBURGH
ZONING BOARD OF APPEALS**

PROXY

L.M.D. Hoang LLC. & Thang H. Tran, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 29 Ona Ln, New Windsor NY 12553

IN THE COUNTY OF Orange AND STATE OF N.Y.


AND THAT HE/SHE IS THE OWNER IN FEE OF _____

16 Old South Park Rd, Newburgh NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Edwin Molina

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 1/3/25 _____ 

OWNER'S SIGNATURE

Melissa Jentia Buccafumi

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF January 2025

JENNA MARIE LLOYD
Notary Public, State of New York
Reg. # 01LL6432807
Qualified in Ulster County
Commission Expires May 9, 2026



NOTARY PUBLIC



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

2024-69(B)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/26/2024

Application No. 24-1206

To: Thang Huu Tran
29 Ona Lane
New Windsor, NY 12553

SBL: 51-4-10
ADDRESS: 16 Old South Plank Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 10/23/2024 for permit to keep a 12' x 15.5' sunroom built without a permit on the premises located at 16 Old South Plank Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code

1) Bulk table schedule 3: Requires a 40' minimum rear yard setback.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

TOWN OF NEWBURGH ZONING CHART

NAME: THANG HUU TRAN ADDRESS: 16 OLD S. PLANK RD
NEWBURGH NY 12550

STRUCTURE: 12' x 15.5' Sunroom TYPE OF VARIANCE: AREA

S:B:L: 51-4-10 ZONE: R-1 TOWN WATER: YES TOWN SEWER: YES

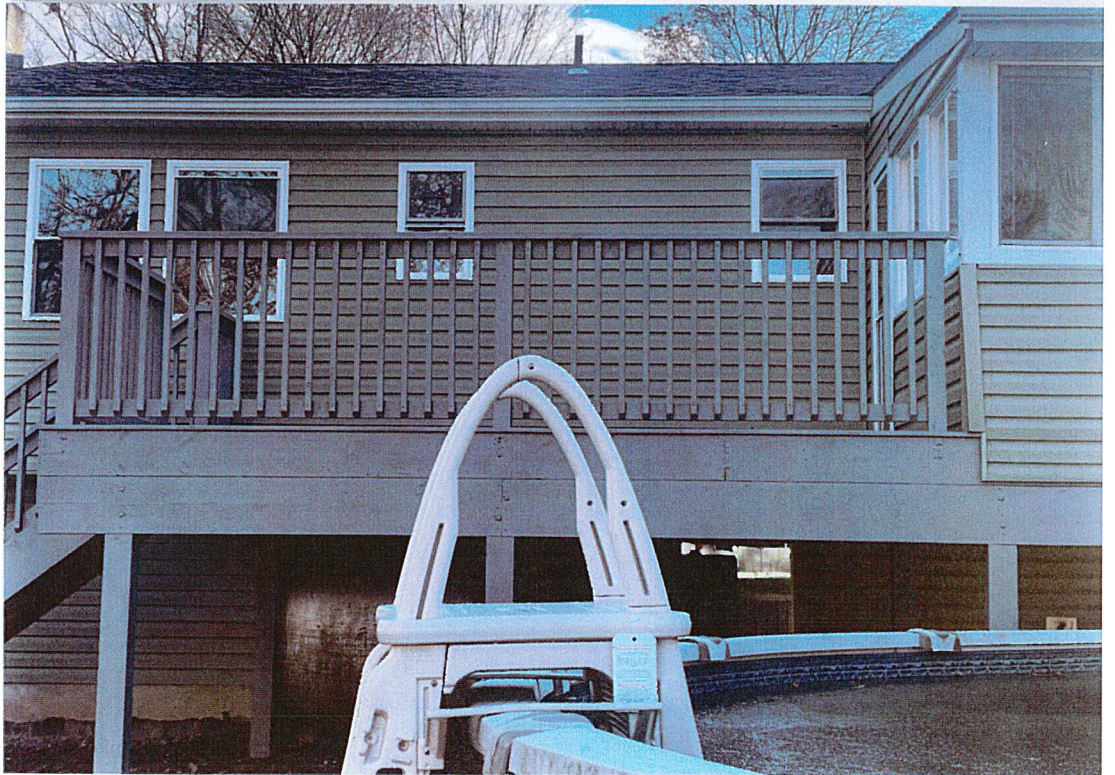
VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
Rear yard setback	Bulk table schedule 3	40'	37.4'	2.6'	6.8%

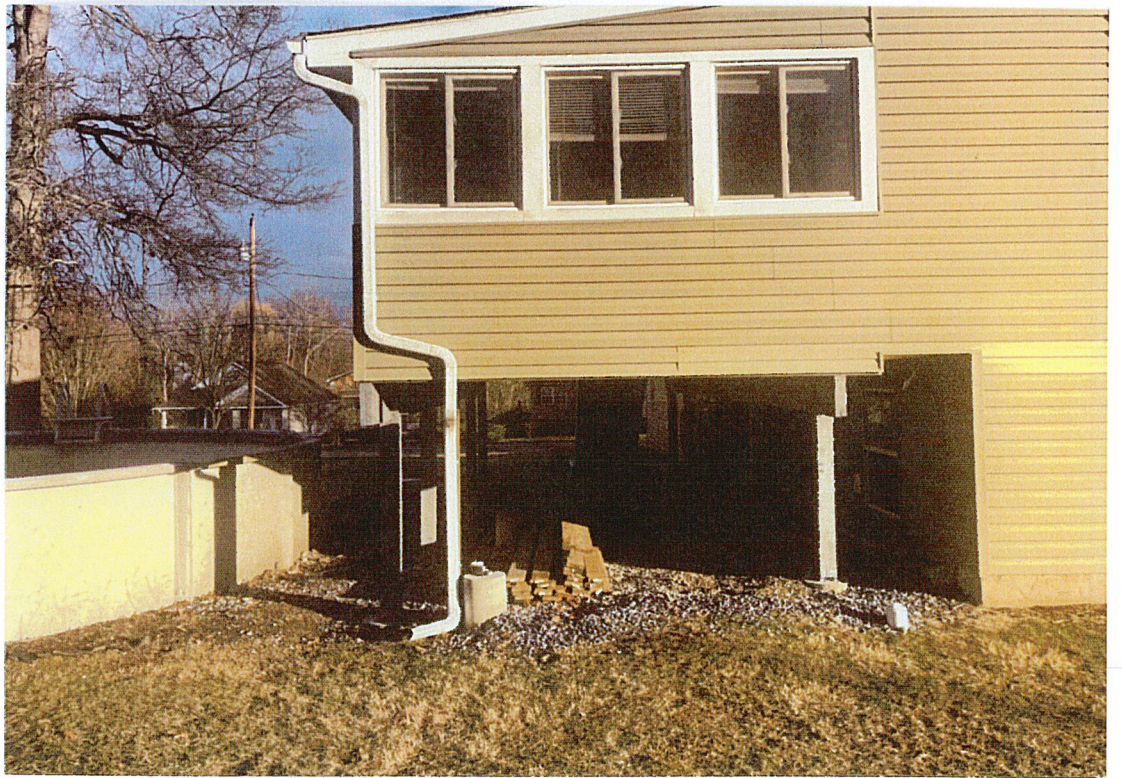
COMMENTS:

REVIEWED BY: JOSEPH MATINA DATE: 12-26-2024 APPLICATION: 24-1206

26A - 2024-69(B)









3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

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12-26-24

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

4. DESCRIPTION OF VARIANCE SOUGHT: _____

24' Above ground pool

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

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d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

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Is a common structure that is found in most of the properties in the neighborhood.

- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

The zoning requires a minimum of 10' from any lot line. Currently only has 9.06'.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Does not meet the minimum requirements under actual zoning laws. A variance of 0.94' is required.

- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

It is a common structure that does not contain toxic, or dangerous substances to people, animals or the environment.

- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

The structure was built in 1985 by previous owners.

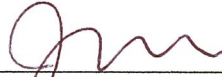
7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF January 20 25


NOTARY PUBLIC

JENNA MARIE LLOYD
Notary Public, State of New York
Reg. # 01LL6432807
Qualified in Ulster County
Commission Expires May 9, 2026

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

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(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)

**TOWN OF NEWBURGH
ZONING BOARD OF APPEALS**

PROXY

L.M.D. Hoang LLC. & Thang H. Tran, DEPOSES AND SAYS THAT

HE/SHE RESIDES AT 29 Ona Ln, New Windsor NY 12553

IN THE COUNTY OF Orange AND STATE OF N.Y.

AND THAT HE/SHE IS THE OWNER IN FEE OF _____

16 Old South Park Rd, Newburgh NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-

TION AND THAT HE/SHE HAS AUTHORIZED Edwin Molina

TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 1/3/25 _____

OWNER'S SIGNATURE

Melissa DeLuca-Buccafurri

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

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NOTARY PUBLIC



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

2024-69 (c)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/26/2024

Application No. 24-1205

To: Thang Huu Tran
29 Ona Lane
New Windsor, NY 12553

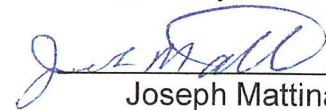
SBL: 51-4-10
ADDRESS: 16 Old South Plank Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 10/23/2024 for permit to keep a 24' above ground pool built without a permit on the premises located at 16 Old South Plank Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code

1) 185-43-B: Pools in excess of 200 square feet shall be located at least 10 feet from any lot line.


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



TOWN OF NEWBURGH ZONING CHART

NAME: THANG HUU TRAN ADDRESS: 16 OLD S. PLANK RD
NEWBURGH NY 12550

STRUCTURE: 24' Above ground pool TYPE OF VARIANCE: AREA

S:B:L: 51-4-10 ZONE: R-1 TOWN WATER: YES TOWN SEWER: YES

VARIANCE DISCRIPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
Rear yard setback	185-43-B	10'	9.06'	.94'	9%

COMMENTS:

REVIEWED BY: JOSEPH MATINA DATE: 12-26-2024 APPLICATION: 24-1205
2024 - 2024. 69(c)







TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
21 Hudson Valley Professional Plaza
Newburgh, NY 12550

OFFICE OF ZONING BOARD

TELEPHONE **845-566-4901**

FAX LINE **845-564-7802**

APPLICATION

DATED: 01/03/2025

TO: **THE ZONING BOARD OF APPEALS**
THE TOWN OF NEWBURGH, NEW YORK 12550

I (WE) L.M.D. Hoang LLC. & Thang H Tran PRESENTLY

RESIDING AT NUMBER 29 Ona Ln, New Windsor NY 12553

TELEPHONE NUMBER 917-412-6506/845-234-8082

HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR THE FOLLOWING:

- USE VARIANCE
- AREA VARIANCE (S)
- INTERPRETATION OF THE ORDINANCE
- SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

51-4-10 (TAX MAP DESIGNATION)

16 Old South Plank Rd (STREET ADDRESS)

Town Of Newburgh (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUB-SECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).

185-15-A-2

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

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12-26-24

b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED:

4. DESCRIPTION OF VARIANCE SOUGHT: _____

12'x12' Accessory Building

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT:

a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

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b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:

d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

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Is a common structure that is found in most of the properties in the neighborhood.

- b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

The zoning requires a minimum of 5' from any side or rear lot line. Currently side yard is 2.53' and rear yard is 1.1'.

- c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

Does not meet the minimum requirements under actual zoning laws. A variance of 2.47' and 3.9' are required.

- d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

It is a common structure that does not contain toxic, or dangerous substances to people, animals or the environment.

- e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

The structure was built in 1985 by previous owners.

7. ADDITIONAL REASONS (IF PERTINENT):



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 3 DAY OF January 2025



NOTARY PUBLIC

JENNA MARIE LLOYD
Notary Public, State of New York
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DATED: 1/3/25 _____ 

OWNER'S SIGNATURE

Melissa Patricia Buccafurri

WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

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21 HUDSON VALLEY PROFESSIONAL PLAZA
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801
FAX LINE 845-564-7802

2024-69(12)

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 12/26/2024

Application No. 24-1204

To: Thang Huu Tran
29 Ona Lane
New Windsor, NY 12553

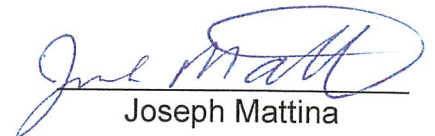
SBL: 51-4-10
ADDRESS: 16 Old South Plank Rd

ZONE: R1

PLEASE TAKE NOTICE that your application dated 10/23/2024 for permit to keep a 12' x 12' accessory building built without a permit on the premises located at 16 Old South Plank Rd is returned herewith and disapproved on the following grounds:

Town of Newburgh Municipal Code:

- 1) 185-15-A-2: Such building shall be set back at least five feet from any side or rear lot line and at least 10 feet from the main building. (Side yard)
- 2) 185-15-A-2: Such building shall be set back at least five feet from any side or rear lot line and at least 10 feet from the main building. (Rear yard)


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File



TOWN OF NEWBURGH ZONING CHART

NAME: THANG HUU TRAN ADDRESS: 16 OLD S. PLANK RD

NEWBURGH NY 12550

STRUCTURE: 12' X 12' SHED TYPE OF VARIANCE: AREA

S:B:L: 51-4-10 ZONE: R-1 TOWN WATER: YES TOWN SEWER: YES

VARIANCE DISCRPTION	CODE SECTION	MINIMUM	REQUESTED	VARIANCE	%
SIDE YARD SETBACK	185-15-A-2	5'	2.53'	2.47'	49%
REAR YARD SETBACK	185-15-A-2	5'	1.1'	3.9'	78

COMMENTS:

REVIEWED BY: JOSEPH MATINA DATE: 12-26-2024 APPLICATION: 24-1204

25M 2024.09(0)



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
16 old South Plank Rd, Newburgh NY 12553			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
16 old South Plank Rd			
Brief Description of Proposed Action:			
Applying to the zoning board for variance.			
Name of Applicant or Sponsor:		845-234-8082	
L.M.D Henry HC & Thany H Tran		Telephone: 917-412-6506	
Address:		E-Mail:	
29 Onz Ln, New			
City/PO:		State:	Zip Code:
New Windsor NY 12553		NY	12553
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO YES
If Yes, list agency(s) name and permit or approval:			<input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____	Date: _____	
Signature: _____		

Agency Use Only [if applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

N/A

Agency Use Only [If applicable]

Project:

Date:

*Short Environmental Assessment Form
Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

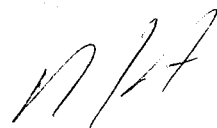
Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)





ORANGE COUNTY – STATE OF NEW YORK
 KELLY A. ESKEW, COUNTY CLERK
 255 MAIN STREET
 GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
 THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



Recording:	
Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Notice of Transfer of Sal	10.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00
Sub Total:	200.00
Transfer Tax	
Transfer Tax - State	1008.00
Sub Total:	1008.00
Total:	1208.00
**** NOTICE: THIS IS NOT A BILL ****	
***** Transfer Tax *****	
Transfer Tax #: 8254	
Transfer Tax	
Consideration: 251851.00	
Transfer Tax - State	1008.00
Total:	1008.00

BOOK/PAGE: 15581 / 1550
 INSTRUMENT #: 20240035836
 Receipt#: 3287348
 Clerk: BR
 Rec Date: 06/17/2024 09:59:44 AM
 Doc Grp: D
 Descrip: DEED
 Num Pgs: 4
 Rec'd Frm: ASSURANCE ABSTRACT & TITLE SERVICES LLC

Party1: TOWNSEND BRUCE D REF
 Party2: LMD HOANG LLC
 Town: NEWBURGH (TN)
 51-4-10

Payment Type: Check ___
 Cash ___
 Charge ___
 No Fee ___

Comment: _____

STATE OF NEW YORK, COUNTY OF ORANGE ss:
 I, Kelly A. Eskew, County Clerk and Clerk of the Supreme and County Courts, Orange County, do hereby certify that I have compared this copy with the original thereof filed or recorded in my office 6/17/2024 and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal 01/06/2025.

Kelly A. Eskew
 County Clerk & Clerk of the Supreme County Courts
 Orange County

Kelly A. Eskew
 Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

Section 51 Block 4 Lot 10

24 NKT-
7548

REFEREE'S DEED

THIS DEED, made the 5th day of JUNE 2024, between Bruce D. Townsend, Esq., having an address of 26 Albany Avenue, Walden, New York 12586, the Referee duly appointed in the foreclosure action hereinafter mentioned ("Grantor"), and L.M.D Hoang, LLC, having an address of 29 Ona Lane, New Windsor, New York 12553 & Thang H. Tran, having an address of 14 Coach Lane, Newburgh, New York 12550 ("Grantees"), and are authorized to do business in the State of New York

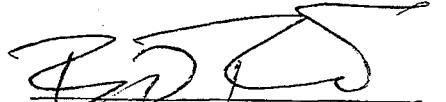
WITNESSETH, that Grantor, the Referee appointed in a foreclosure action by U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR LB-IGLOO SERIES IV TRUST as Plaintiff -against- FRANKLIN M. MITCHETTI, SR.; THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC., CWHEQ REVOLVING HOMEEQUITY LOAN TRUST, SERIES 2007-B; GIANNA MITCHETTI, as Defendant(s), foreclosing a Mortgage dated November 13, 2006, recorded November 29, 2006, with the Office of the Clerk of the County of Orange in Book 12311, Page 0727, as Serial Number CX017518, Instrument Number 20060126734, pursuant to a Judgment of Foreclosure and Sale entered by the Supreme Court of the State of New York, County of Orange under the index number EF005451-2022 on February 21, 2024, and in consideration of \$251,851.00, paid by the Grantee, being the highest sum bid at the sale under judgment, does hereby grant and convey unto Grantee and the heirs, executors, administrators, successors and assigns of the Grantee forever;

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the east side of Orange Lake, Town of Newburgh, County of Orange and State of New York known as 16 Old South Plank Road, Newburgh, New York 12550 (Section 51, Block 4, Lot 10) being more particularly described in Schedule A attached hereto and made a part hereof,

SUBJECT to all unpaid taxes, assessments and water rates which are now a lien on the premises.

TOGETHER with the appurtenances and all the estate and rights of grantor in and to said premises, **TO HAVE AND TO HOLD** the premises described in the attached Schedule A herein granted unto Grantee and the heirs, executors, administrators, successors and assigns of the Grantee forever.

IN WITNESS WHEREOF Grantor has duly executed this deed on the date first above written.


Bruce D. Townsend, Esq. - Referee

UNIFORM ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss:
COUNTY OF ORANGE)

On the 24 day of MAY, 2024, before me, the undersigned a notary public in and for the state of New York, personally appeared Bruce D. Townsend, Esq., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument the individual(s), or person upon behalf of which the individual(s), or person upon behalf of which the individual(s) acted, executed, the instrument.

Sworn to before me this
24 day of MAY, 2024


Notary Public

DIANE S. MORGAN
NOTARY PUBLIC, STATE OF NEW YORK
01MO8312193
Qualified in Orange County
Commission Expires October 6, 2026

R+R
Richard Laves, Esq.
372 Sullerton Ave
Sawburgh, NY
12550

SCHEDULE A

Section 51 Block 4 Lot 10

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being on the east side of Orange Lake, Town of Newburgh, County of Orange and State of New York, know and designated as Lots No. 39, 38 and the easterly 33 feet (front and rear) of Lot 37 on Map of Lands of Orange Lake Park, dated September, 1940, and revised on June 12, 1951 by Nial Sherwood, P.E., of Liberty, N.Y., both original and revision having been duly filed in the Office of the Clerk of the County of Orange on 6/26/51 as Map #1476.

Said premises further described in accordance with a certain survey dated October 17, 1983 made by Washburn Associates as follows:

BEGINNING at a point of intersection formed by the westerly line of Odell Circle, and the northerly line of Old South Plank Road, as shown on a certain map entitled "Orange Lake Park" as filed in the Orange County Clerk's Office, on June 26, 1951, as filed Map No. 1476, and running thence:

- (1) N71°47'00" W 133.00 feet, along the said northerly line of Old South Plank Road, to an iron pipe, thence;
- (2) N18°13'00" E 125.00 feet, to an iron pipe, thence;
- (3) S71°47'00" E 133.00 feet, along the southerly line of Lot Nos. 43, 42, and 41, to an iron pipe, thence;
- (4) S18°13'00" W 125.00 feet, along the aforesaid westerly line of Odell Circle, to the point or place of BEGINNING.

Premises known as 16 Old South Plank Road, Newburgh, NY 12550

**AFFIDAVIT OF POSTING(S) OF
NOTICE OF PUBLIC HEARING
AT THE PROPERTY**

STATE OF NEW YORK: COUNTY OF ORANGE:

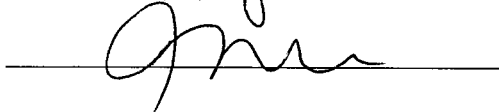
I THANG HUU TRAN, being duly sworn, depose and say that I did on or before
January 9, 2025, post and will thereafter maintain at
16 Old South Plank Rd 51-4-10 R1 Zone in the Town of Newburgh, New York, at or near the front
property line(s) and within view of each fronting street a copy(ies) of the Notice of Public Hearing, which
notice was in the form attached hereto.

The applicant shall maintain and update notice(s) (with amended information if there is any change to the information contained in the original Notice of Hearing) until after the Public Hearing is closed. The Notice must then be removed and property disposed of within ten (10) days of the close of the Public Hearing. Failure to follow the required procedure may result in the Public Hearing being held open for additional time.



Sworn to before me this 10

day of January, 2025.



JENNA MARIE LLOYD
Notary Public, State of New York
Reg. # 01LL6432807
Qualified in Ulster County
Commission Expires May 9, 2026

